IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 23RD JULY 2007 / 1ST SRAVANA 1929

WP(C).No. 20434 of 2005(G)

PETITIONERS:

---

1. KALLARACKAL MATHAI,S/O.POULOSE.

2. KALLARACKAL ANNAMMA, D/O.POULOSE.

3. KALLARCKAL CACILY, REPRESENTED BY THEIR POWER OF ATTORNEY HOLDER KALLARACKAL JACOB, S/O.POULOSE, MEENTHULLI, KOZHICHAL. PAYYANNUR, KANNUR DISTRICT.

4. KALLARACKAL JACOB, S/O.POULOSE, MEENTHULLIL, KOZHICHAL, PAYYANUR, KANNUR DISTRICT.

5. KALLARACKAL SARAMMA, W/O.POULOSE, MEENTHULLI, KOZHICHAL, PAYYANNUR, KANNUR DISTRICT.

BY ADV. SRI.T.B.SHAJIMON

RESPONDENTS:

---

1. THE SECRETARY, THE THALIPARAMBA PRIMARY CO-OP.AGRICULTURAL DEVELOPMENT BANK LTD., NO.C.1007, PAYYANNUR, 670 307.

2. THE JOINT REGISTRAR OF CO-OPERATIVE, SOCIETIES GENERAL, KANNUR.

3. THE SALE OFFICER, THE THALIPARAMBA PRIMARY CO-OP. AGRICULTURAL DEVELOPMENT BANK LTD., NO.C.1007, PAYYANNUR 670 307.

R1 BY ADV. SRI.M.SASINDRAN

R2 & R3 BY GOVT. PLEADER SRI. K.J. MOHAMMED ANZAR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 23/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

- -

WP.(C) No.20434 of 2005

- -

Dated this the 23rd day of July, 2007

JUDGMENT

Petitioner availed a loan. It was not repaid fully. Complaint of the petitioner is that statement is not given showing the amount paid, the amount remaining to be paid etc. Learned counsel also points out financial difficulty as the reason for not repaying.

2. I heard learned counsel for the respondents also.

The writ petition is disposed of as follows:

There will be a direction to the first respondent to serve a statement showing the amount payable by the petitioner within a period of one week from today. It will show the amount to be paid by the petitioner as monthly instalment on the basis that the amount to be paid with interest is to be paid in nine equal monthly instalments. Petitioner is permitted to pay off the amount due with interest in nine equal monthly instalments as indicated in the statement, first of which shall be paid on or before 20.8.2007. If any one instalment is not paid, the petitioner will loose the benefit of this judgment and the respondent Bank is free to proceed against the petitioner in accordance with law.

(K.M. JOSEPH, JUDGE)

sb